

landing on the Cape Fear river; thence, with the west bank and meanderings of the said Cape Fear river, to the beginning.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 11th day of March, A. D. 1895.

CHAPTER 256.

An act to secure the better drainage of the low-lands of Pearson's creek, Burke county.

The General Assembly of North Carolina do enact :

Commissioners.

Object of commissioners.

Creek to be divided into sections.

Overseer for each.

Length of office.

Qualifications.

Majority to elect chairman.

Vacancies.

Duty of commissioners.

Overseers to be provided with estimate.

Notice to land owners.

Number of hands land owners to furnish.

Penalty.

SECTION 1. That A. D. Lais, Thomas Duckworth, and Pink Hoke, be appointed commissioners, whose duty it shall be, as soon as practicable, to lay off Pearson Fork, in Burke county, from the mouth of said creek to where the Morganton and Rutherford road crosses said creek, into sections of convenient length, and to appoint one overseer for each section, who shall hold his office for the term of two years, and who shall be a land-owner in the section for which he is appointed overseer.

SEC. 2. That a majority of said commissioners shall have power to elect one of their own number chairman, and may fill vacancies in their own number for that of overseers, and in case they shall fail or neglect to fill vacancies occasioned by death, or otherwise, the board of county commissioners of said county shall, on application being made, appoint commissioners and overseer for the purpose herein mentioned.

SEC. 3. That said commissioners shall estimate the number of acres of bottom land belonging to each land-owner in Burke county, on Pearson's creek, between the points mentioned in section first of this act, and lying within one-fourth mile of the main channel of said creek, whether said bottom land be immediately on said creek or its tributaries running into it, and shall furnish each overseer with a copy of the estimate of his section, and said land-owners, when required by the overseer of the section in which their bottoms lie, and upon a notice of five days by said overseer, shall each furnish an efficient hand, with appropriate tools, such as he shall be notified by the overseer to furnish, for every ten acres of bottom land owned by him, and so estimated, and in that proportion for any number of acres less than ten, and on failing to do so shall forfeit and pay two dollars per day for failure on each hand, which may be